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Held at Headquarters, New York, on Wednesday, 22 November 2006, at 3 p.m.

Chairman: Mr. Al Bayati ..... (Iraq)

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The meeting was called to order at 3.15 p.m.

Agenda item 63: Promotion and protection of the rights of children (*continued*)

(a) Promotion and protection of the rights of children (*continued*) (A/C.3/61/L.12)

Draft resolution A/C.3/61/L.12: The situation of the Lebanese children

1. **Mr. Amorós Núñez** (Cuba), speaking on behalf of the Non-Aligned Movement (NAM), said that NAM was prepared to withdraw draft resolution A/C.3/61/L.12 as many of its elements were contained in resolution A/C.3/61/L.13/Rev.1 on the human rights situation arising from the recent Israeli military operations in Lebanon, which the Committee had adopted at its previous meeting (A/C.3/61/SR.51).

2. *Draft resolution A/C.3/61/L.12 was withdrawn.*

Agenda item 67: Promotion and protection of human rights (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/61/L.56, A/C.3/61/L.38/Rev.1, A/C.3/61/L.40, L.42 and L.43)

Draft resolution A/C.3/61/L.38/Rev.1: Situation of human rights in Myanmar

3. **The Chairman**, drawing attention to draft resolution A/C.3/61/L.38/Rev.1 and to the related statement of programme budget implications contained in document A/C.3/61/L.56, invited the Committee to take action on the draft resolution.

4. **Mr. Amorós Núñez** (Cuba) said that his delegation wished to make a general statement on the draft resolution.

5. **Mr. Wood** (United Kingdom), speaking on a point of order, said that other delegations, including Cuba, had already made general statements on agenda item 67 (c) and that, pursuant to rule 115 of the rules of procedure of the General Assembly, the list of speakers on the item had already been closed. The rules of procedure did not allow for the list of speakers to be reopened, and it was not the practice of the Committee to reopen discussion of an agenda item before action was taken. It was unacceptable to make a general statement at the current stage, for clear reasons of procedure, practice and good order. The Committee should therefore resume its normal practice of giving the floor directly to the main sponsor of the draft resolution.

6. **The Chairman** said that, according to the practice of the Committee, once consideration of an agenda item had been opened, any delegation could make a general statement. Cuba was therefore entitled to take the floor.

7. **Mr. Amorós Núñez** (Cuba), speaking on behalf of the Non-Aligned Movement (NAM), said that at the Fourteenth Summit Conference of Heads of State or Government of the Non-Aligned Movement, held in Havana in September 2006, participants had agreed that the exploitation of human rights for political purposes, including the selective targeting of individual countries for extraneous considerations, should be prohibited. They had also declared their opposition to selectivity and double standards in the promotion and protection of human rights and to any attempt to exploit human rights for political purposes. Cuba urged all NAM countries to adhere to those principles when voting on country-specific resolutions.

8. **Mr. Swe** (Myanmar), speaking on a point of order, said that draft resolution A/C.3/61/L.38/Rev.1 was highly politicized and country-specific, and had no place in the Committee's work. Therefore, in accordance with rule 116 of the rules of procedure and with the principles adopted by the Heads of State or Government of the Non-Aligned Movement at their Fourteenth Summit Conference, his delegation moved the adjournment of the debate on the draft resolution.

9. **Ms. Blitt** (Canada), speaking on a point of order, said that her delegation had asked for the floor during the statement made by the representative of Cuba, as it had also wished to make a general statement under agenda item 67 (c), in accordance with the Chairman's ruling that any delegation could make a general statement, once consideration of an agenda item had been opened.

10. **Mr. Khane** (Secretary of the Committee) noted that the representative of Myanmar had spoken on a point of order to call for the adjournment of the debate. In the absence of a procedural motion or countermotion, the motion of adjournment must be put to a vote before any other delegation could address the Committee.

11. **Mr. Wood** (United Kingdom), speaking on a point of order, said that, like the representative of Cuba, the representative of Canada had been trying to make a general statement on the item before the Committee. Either the Committee was at the point of discussing the draft resolution, in which case the delegation of Cuba should not have been given the floor to make a general statement, or it was not at that stage, in which case Cuba's statement was perfectly valid and Canada should also be permitted to make a statement.

12. **Mr. Amorós Núñez** (Cuba), speaking on a point of order, said it was his understanding that when his delegation had been given the floor, only the representative of the United Kingdom had raised a point of order. The fact that his delegation had made a general statement did not, therefore, appear to violate the rules of procedure.

13. **The Chairman** invited two representatives to speak in favour of, and two against, the motion, before putting it to the vote, in accordance with rule 116.

14. **Mr. Liu** Zhenmin (China) said that the establishment of the Human Rights Council had been a significant step in the process of reforming the human rights mechanism of the United Nations. The purposes of its establishment had been to free the international human rights field from political confrontation and to promote genuine cooperation and dialogue in the field. The Committee should therefore have moved with the times in its own discussion of human rights issues.

15. The draft resolution before the Committee smacked of double standards. It would lead to political confrontation and would not help protect human rights in Myanmar. Differences in the human rights field should be resolved through dialogue and cooperation, based on equality and mutual respect. His delegation was opposed to the practice of using human rights issues to exert political pressure on developing countries and therefore supported the motion for the adjournment of the debate.

16. **Mr. Amorós Núñez** (Cuba) said that politicization did nothing to advance genuine cooperation in the human rights field. In view of the weaknesses of the draft resolution and the blatant attempts made to manipulate the debate, his delegation also supported the motion for the adjournment of the debate.

17. **Ms. Juul** (Norway) said that her delegation deeply regretted that the motion of adjournment had been moved. Firstly, her delegation opposed such motions as a matter of principle. Secondly, the United Nations should remain a forum for addressing serious human rights situations. Criticism should be supplemented by dialogue, and it should also be accompanied by the recognition that conditions and capacities differed from country to country. However, dialogue should not preclude necessary criticism, and the Committee should never refrain from addressing serious human rights problems whenever and wherever they occurred. Lastly, if the Committee were to adopt the motion of adjournment, it would effectively be turning a blind eye to human rights violations. Norway therefore opposed the motion, and urged all other delegations to do likewise.

18. **Ms. Hill** (New Zealand) said that the General Assembly had a mandate to consider human rights situations. Member States had adopted resolutions expressing their collective concern about some of the worst human rights situations for more than 30 years. In many cases the resulting international attention had helped increase pressure on States that had since turned into strong promoters of human rights. New Zealand was committed to dialogue and cooperation in situations in which there was evidence of serious human rights violations. Draft resolutions should be adopted only following negotiations with the country concerned and with the broadest possible consensus. That had always been the case with the resolution on Myanmar, where there continued to be very serious concerns about the human rights situation. Those concerns were addressed in the draft resolution and must be dealt with by the Committee. Her delegation would therefore vote against the motion of adjournment and hoped that all other delegations would do the same.

19. *A recorded vote was taken on the motion for the adjournment of the debate on draft resolution A/C.3/61/L.38/Rev.1.*

In favour:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Botswana, Burkina Faso, Cambodia, Cameroon, China, Comoros, Congo, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, Eritrea, Gabon, Gambia, Guinea,

Guinea-Bissau, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Malaysia, Myanmar, Namibia, Nepal, Pakistan, Philippines, Russian Federation, Saint Lucia, Saudi Arabia, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Ukraine, United States of America, Uruguay.

Abstaining:

Benin, Bolivia, Brazil, Cape Verde, Colombia, Côte d'Ivoire, Djibouti, Ethiopia, Fiji, Ghana, Guyana, Haiti, Jamaica, Jordan, Kenya, Madagascar, Malawi, Mali, Mauritania, Mozambique, Niger, Nigeria, Papua New Guinea, Qatar, Senegal, Togo, Trinidad and Tobago, Turkmenistan, Uganda, United Republic of Tanzania.

20. *The motion for the adjournment of the debate on draft resolution A/C.3/61/L.38/Rev.1 was rejected by 77 to 64, with 30 abstentions.*

21. **Ms. Lintonen** (Finland), speaking on behalf of the European Union and the other sponsors, introduced draft resolution A/C.3/61/L.38/Rev.1. The European Union had been closely engaged in bilateral consultations with the delegation of Myanmar and had also organized consultations with other interested delegations, in particular with delegations of member States of the Association of Southeast Asian Nations (ASEAN). The sponsors of the draft resolution had been hoping that the recent visit to Myanmar of the Special Rapporteur on the situation of human rights in Myanmar would provide the impetus for further positive elements for the draft resolution. Myanmar's decision to break off negotiations had therefore been surprising and disappointing.

22. In the 14 years since United Nations special rapporteurs had begun to report on the situation in Myanmar, there had been no substantive improvements in the areas of fundamental concern to the international community. Impunity continued to prevail for serious human rights violations. Moreover, developments during the course of 2006 had given even more cause for alarm. It was incumbent on the General Assembly to call for an immediate end to the targeting of civilians in the ethnic areas of the country.

23. The draft resolution was not simply an exercise for expressing the international community's concerns. It was a very important tool for assisting Myanmar to address the human rights violations mentioned in the text and to achieve a conclusive restoration of democracy, as well as to build the foundations for sustainable development and national reconciliation. In that regard, engagement with the United Nations, particularly through the Secretary-General's good offices and through cooperation with the Special Rapporteur, would be crucial for Myanmar. It was essential to adopt the draft resolution as a step in that direction, and her delegation urged the Committee to adopt it without a vote.

24. **Mr. Swe** (Myanmar) said that the European Union had once again put forward a highly politicized, country-specific draft resolution on Myanmar under the pretext of promoting human rights. The introduction of draft resolutions on Myanmar had become a yearly ritual which in no way protected human rights because to do so was never the real intention of their sponsors. The real intention was to manipulate Myanmar's own political process and derail the seven-step political road map that it had set for itself in order to make a successful transition to a democratic society.

25. The draft resolution was full of unfounded allegations by exiles and remnants of the insurgency, who were waging a systematic disinformation campaign aided and funded by powerful western countries. It was entirely unacceptable to Myanmar because it interfered in matters that, in accordance with the Charter of the United Nations, fell under the sovereign domain of Myanmar. It championed the encroachment of the Security Council upon the powers and functions of the General Assembly by welcoming the Council's involvement in Myanmar, a peaceful country which was not a threat to regional or international peace and security, as attested to by all its neighbours.

26. The draft resolution also went against the principled position taken by NAM that Myanmar was not a threat to international peace and security. The promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings. Such a goal could be achieved through a universal periodic review based on objective and reliable information. The recently established Human Rights Council was the logical and proper forum for considering human rights issues, and the Committee should avoid duplicating its work. Myanmar was doing everything possible to improve its human rights situation and would continue to do so. The Special Rapporteur on the situation of human rights in Myanmar had described his recent visit in May as a success, and another successful visit had taken place in November 2006. His delegation was therefore compelled to challenge the draft resolution, which would not only infringe upon Myanmar's national sovereignty, but would also set a dangerous precedent for all developing countries. It therefore called for a recorded vote and urged all developing countries to vote against the draft resolution.

27. **The Chairman** said that a recorded vote would be taken on draft resolution A/C.3/61/L.38/Rev.1.

28. **Mr. Manis** (Sudan), speaking in explanation of vote before the voting, said that his delegation would vote against the draft resolution. If its sponsors were truly in favour of human rights they could have tabled draft resolutions on a number of other important human rights issues, such as the human rights situation of detainees held at the United States naval base at Guantánamo Bay, Cuba; or the human rights violations perpetrated by the United States in Abu Ghraib prison, Iraq, or in secret detention centres in Europe.

29. **Ms. Escobar** (Bolivarian Republic of Venezuela) said that her delegation wished to reiterate its opposition to resolutions in the field of human rights that were country-specific, highly politicized and selective, in violation of the principles of the Charter of the United Nations on the sovereignty of States and non-interference in their internal affairs. It was a matter of profound concern that the Committee continued to address human rights issues in that manner. Progress in the promotion and protection of all human rights would be achieved, not through selective acts of condemnation, but through cooperation and frank and open dialogue. Her delegation would therefore vote against the draft resolution.

30. **Mr. Vohidov** (Uzbekistan) said that his delegation fully aligned itself with the statements made by China and Cuba regarding the practice of introducing country-specific resolutions into the Committee's debates, particularly as the procedures of the recently established Human Rights Council had not yet been fully determined. The sponsors of the draft resolution had defined the text as a form of dialogue that contained a certain amount of criticism. If that were really the case, his delegation would have no problem with it. And yet, only one page of the text addressed Myanmar's successes. It did not reflect the reality of the situation and did not facilitate dialogue.

31. **Ms. Gendi** (Egypt) said that her delegation wished to reiterate its opposition to country-specific resolutions, which served only to support the concepts of selectivity and the politicization of human rights issues and were based on double standards. Such resolutions did not provide an opportunity to deal with human rights problems in an appropriate and objective manner within a framework of international cooperation that would help States to develop their capacities and improve the situation of human rights in their countries.

32. Moreover, the practice of introducing such resolutions unilaterally, without debate in the General Assembly, was fully contrary to efforts to strengthen international cooperation in dealing with human rights issues multilaterally. Those issues should be dealt with in accordance with the periodic review mechanism in the appropriate forum, which was the Human Rights

Council. The fact that certain countries tabled such resolutions every year while voting against resolutions that addressed blatant human rights violations in the Palestinian territories and Lebanon suggested the imposition of certain cultural patterns as the basis for judging human rights issues. Egypt would therefore vote against the draft resolution.

33. **Mr. Rachkov** (Belarus) said that his delegation would vote against draft resolution A/C.3/L.38/Rev.1. The latest country resolution did not contribute to dialogue on human rights. It subverted the goals of objectivity and non-selectivity and ran counter to an earlier decision to implement systematic, unified criteria to examine human rights situations in all United Nations Member States. The country approach singled out developing countries.

34. **Mr. Anshor** (Indonesia) said that while his country shared the concerns set forth in L.38/Rev.1 regarding human rights issues in Myanmar, it was regrettable that the Third Committee had to deal once again with country-specific resolutions. The United Nations must find a more constructive way of dealing with human rights issues. Indonesia stood ready to help Myanmar resolve its human rights issues both bilaterally and through the Association of Southeast Asian Nations and would vote against the draft resolution.

35. *A recorded vote was taken on draft resolution A/C.3/61/L.38/Rev.1.*

In favour:

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against:

Algeria, Azerbaijan, Bangladesh, Belarus, Brunei Darussalam, Cambodia, China, Congo, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, Guinea, India, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Myanmar, Pakistan, Russian Federation, Sudan, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Bahamas, Bahrain, Barbados, Belize, Benin, Bhutan, Botswana, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Colombia, Costa Rica, Côte d'Ivoire, Djibouti, Eritrea, Ethiopia, Fiji, Ghana, Guinea-Bissau, Guyana, Haiti, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Madagascar, Malawi, Mali, Mauritania, Mozambique, Namibia, Nepal, Niger, Nigeria, Papua New Guinea, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia.

36. *Draft resolution A/C.3/61/L.38/Rev.1 was adopted by 79 votes to 28, with 63 abstentions.**

37. **Mr. Benmehidi** (Algeria) said that his delegation had voted against the draft resolution because country-specific resolutions led to a confrontational atmosphere and were damaging to human rights. Algeria would vote similarly on all country-specific resolutions. A Universal Periodic Review, which would lead to dialogue, was the appropriate method for improving country performance on human rights.

38. **Mr. Kodera** (Japan) said that it was regrettable that the Third Committee had had to resort to a recorded vote despite cooperative efforts by Myanmar and the sponsors of the draft resolution. The

* The delegation of Georgia subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

international community should convey its message positively in order to achieve progress in democracy and human rights. While such resolutions needed to be balanced, categorical rejection of all country resolutions was not a solution. Japan had voted for the draft resolution because it contained a request to the Secretary-General to pursue discussions on human rights and democracy in Myanmar.

39. **Mr. Ballestero** (Costa Rica) said that his delegation had abstained from voting because the appropriate forum for such resolutions was the Human Rights Council. It was particularly unfortunate that it had not been possible to reach a consensus, which would have set an example of constructive dialogue in the field of human rights.

40. **Mr. Maia** (Brazil) said that his country had voted in favour of the draft resolution, although it favoured the universal review mechanism and regretted the discontinuation of the consensus. There had been positive developments in the human rights situation in Myanmar, such as the country visit by the Under-Secretary-General for Political Affairs and measures to halt the use of child soldiers. However, the fact that Myanmar was preventing the Special Rapporteur for human rights from making a visit was cause for concern.

41. **Mr. Kyaw Tint Swe** (Myanmar) said that the no-action motion preceding the vote on draft resolution A/C.3/61/L.38/Rev.1 indicated that the international community would no longer tolerate the politicization of human rights issues by means of country-specific resolutions. The message had been sent that human rights issues must be approached with respect for States' sovereignty and without interference in their internal affairs. It was revealing that, despite political pressure by powerful countries, the draft resolution had had the support of a mere 34 countries besides the sponsors. It was clear that developing countries were being targeted.

42. However, the vote was not a setback. Myanmar would proceed with its road map to democracy and would not be bound by the resolution.

43. **Mr. Ballestero** (Costa Rica) said his delegation wished to register its concern that article 109 of the rules of procedure had not been complied with. Speakers should have been called on in the order in which they had requested to speak, instead of which other delegations had been given precedence. Further, in accordance with rule 116, once the motion to adjourn had been rejected, the Committee should have returned to the point in the debate when that motion had first been moved. Instead, the draft resolution had been put to a vote, and delegations had not been given the opportunity to continue the debate. He hoped that would not happen in the future.

Draft resolution A/C.3/61/L.40: Situation of human rights in Belarus

44. **Mr. Khane** (Secretary of the Committee) said that Andorra, Croatia, Liechtenstein and the former Yugoslav Republic of Macedonia had joined the sponsors of the draft resolution. As budgetary provisions for human rights had already been made, the draft resolution in question had no budget implications.

45. **Mr. Rogachev** (Russian Federation) said that the draft resolution was political and had been advanced without concern for human rights. The lack of clear criteria in the Third Committee for looking at country situations led to a selective approach which was counterproductive, given the development of the universal periodic review. His delegation therefore moved the adjournment of the debate on draft resolution A/C.3/61/L.40 and called for the support of all delegations.

46. **Mr. Liu** Zhenmin (China) and **Mr. Amorós Núñez** (Cuba) endorsed the proposal.

47. **Mr. Jokinen** (Finland), speaking on behalf of the European Union; the acceding countries Bulgaria and Romania; the candidate countries, Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania and Serbia; and in addition, Moldova and Ukraine, said that it was a matter of principle to vote against any motion to close the debate. Based on the gravity of the situation, the Third Committee must address the situation of human rights in Belarus, especially as previous resolutions and recommendations on the subject had been ignored. The motion to adjourn the debate, if successful, would prevent the Committee from considering the issues in the resolution, which would run contrary to the spirit of dialogue and undermine the credibility of the General Assembly.

48. **Mr. Miller** (United States) said that country-specific resolutions should be considered on their merits. To close the debate was an abdication of responsibility.

49. *A recorded vote was taken on the motion to adjourn the debate on draft resolution A/C.3/61/L.40.*

In favour:

Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, China, Comoros, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Guinea, Guinea-Bissau, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Morocco, Myanmar, Namibia, Pakistan, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Tunisia, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Belgium, Bolivia, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining:

Benin, Bosnia and Herzegovina, Brazil, Burundi, Cape Verde, Colombia, Congo, Côte d'Ivoire, Djibouti, Ghana, Guyana, Haiti, Jamaica, Jordan, Kenya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Nepal, Niger, Nigeria, Papua New Guinea, Rwanda, Solomon Islands, Trinidad and Tobago, Turkmenistan, Uganda, United Republic of Tanzania.

50. *The motion to adjourn the debate on draft resolution A/C.3/61/L.40 was rejected by 75 votes to 67, with 31 abstentions.*

51. **Mr. Miller** (United States) said that Andorra, Bulgaria, Croatia, Iceland, Liechtenstein and the former Yugoslav Republic of Macedonia had joined the sponsors.

52. In order to increase support for the draft resolution, the sponsors had agreed to the following changes: in the fifth line of paragraph 1 (b), the phrase "by allowing" had been deleted, and in the sixth line of paragraph 2 (a), the phrase "inter alia" had been inserted after the word "including".

53. There was deep concern regarding the deterioration of human rights in Belarus. The March 2006 presidential election had been severely flawed by the arbitrary use of State power against opposition candidates and a vote count lacking the minimum transparency. Opponents' access to State media had been restricted. Citizens, including civil society activists, had been subjected to harassment, detention and arrest. Non-governmental organizations, national minority organizations, independent media outlets and religious groups had been shut down. The number of arbitrary arrests had doubled from 500 before the election to 1,000 after the election.

54. **Mr. Dapkiunas** (Belarus) said that the Committee had missed yet another opportunity to show its opposition to divisive and politically biased initiatives. A minimum degree of trust and mutual respect was necessary for change in human rights practices to occur.

55. The world's mightiest power was appropriating the right to determine the only correct perspective on human rights and was picking and choosing victims indiscriminately from among sovereign States. It was imposing its views on other members of the international community by means of arm-twisting, thereby damaging the unique environment of the United Nations.

56. Some delegations were using the United Nations to express their discontent regarding bilateral relations with individual States, which was an abuse of United

Nations principles. Voting for draft resolution A/C.3/61/L.40 was tantamount to supporting gross human rights violations in Guantánamo, Abu Ghraib and Fallujah.

57. **The Chairman** announced that a recorded vote had been requested.

58. **Mr. Jokinen** (Finland), speaking on behalf of the European Union in explanation of vote before the voting, said that the human rights situation in Belarus was very grave. Belarus had made commitments under a number of international human rights instruments and should honour them.

59. Recent elections had fallen short of international standards. Intimidation of opposition candidates and groups had been systematic. Judicial proceedings all too often lacked the necessary elements of due process and were used for political intimidation. Human rights defenders, national minority organizations, independent media and religious organizations faced harassment on a regular basis. Senior Government officials who had been implicated in the enforced disappearance of political opponents enjoyed impunity.

60. Such concerns were not new and it was regrettable that the Government of Belarus had chosen to ignore earlier resolutions by international human rights bodies concerning widespread human rights violations. The European Union would be voting in favour of the draft resolution.

61. **Mr. Vohidov** (Uzbekistan) said that the draft resolution did not mention the reason for the closure of the European Humanities University. The European Union had, moreover, been wrong to state that Belarus did not cooperate with United Nations human rights bodies; the draft resolution itself referred only to the Government's "failure ... to cooperate fully with all the mechanisms of the Human Rights Council". As for the negative assessment of the recent election by the Organization for Security and Cooperation in Europe, that view had been contradicted by that of other regional institutions. The draft resolution was tendentious and his delegation would vote against it.

62. **Mr. Saeed** (Sudan) said that his delegation rejected the very principle of country-specific resolutions, which were vitiated by politicization, selectivity and double standards. Confronting and targeting specific countries had nothing to do with the noble aim of enhancing human rights, which should be achieved through dialogue, cooperation, technical assistance and capacity-building. The establishment of the Human Rights Council heralded a new era, in which human rights reports would be impartial and neutral. No country was in a position to point the finger at another. His delegation would vote against the draft resolution.

63. **Ms. Escobar-Gómez** (Bolivarian Republic of Venezuela) said that her delegation was opposed to country-specific human rights resolutions, which were highly political and selective and ran counter to the principles of sovereignty of States and non-interference in domestic affairs. For that reason, her delegation would vote against the draft resolution.

64. **Ms. Hastaie** (Islamic Republic of Iran) said that the draft resolution represented yet another example of political ends being sought by a few delegations under the guise of a concern for human rights. A confrontational attitude would not serve human rights, which should be advanced through dialogue and cooperation. Her delegation would vote against the draft resolution.

65. **Mr. Kyaw Tint Swe** (Myanmar) said that the draft resolution constituted another example of a misuse of the Third Committee to put pressure on an individual country for political purposes. His delegation was, in common with the Non-Aligned Movement as a whole, opposed to the targeting of individual countries, which contravened the Charter of the United Nations.

66. **Ms. Gendi** (Egypt) said that, regardless of the content of any given resolution, human rights should not be politicized. The cause was better served by engaging in international cooperation and capacity-building. Country-specific human rights resolutions should not, in any case, be tabled by delegations which failed to vote against flagrant human rights violations by Israel in the occupied Arab territories.

67. **Ms. Halabi** (Syrian Arab Republic) said that her delegation completely rejected the selective use of human rights as a pretext for interfering in the affairs of another country, in contravention of the Charter of the United Nations. Dialogue was preferable to confrontation.

68. *A recorded vote was taken on draft resolution A/C.3/61/L.40, as orally revised.*

In favour:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Nicaragua, Norway, Palau, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against:

Algeria, Armenia, Bangladesh, Belarus, China, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, Ethiopia, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Morocco, Myanmar, Pakistan, Qatar, Russian Federation, South Africa, Sudan, Syrian Arab Republic, Tajikistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Bahamas, Bahrain, Barbados, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Colombia, Congo, Costa Rica, Côte d'Ivoire, Djibouti, Ecuador, Eritrea, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Namibia, Nepal, Niger, Nigeria, Panama, Papua New Guinea, Philippines, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia.

69. *Draft resolution A/C.3/61/L.40, as orally revised, was adopted by 70 votes to 31, with 67 abstentions.*

70. **Mr. Maia** (Brazil) said that his delegation was in favour of the implementation of the universal review mechanism proposed for the Human Rights Council, which would enable the United Nations to examine the human rights situation in all countries in a manner that was free of selectivity and politicization. Country-specific resolutions should be countenanced only in cases of great gravity. His delegation had therefore abstained in the vote on draft resolution A/C.3/61/L.40, since it recognized that some progress had been achieved in Belarus, such as the scheduling of local elections in January 2007, which, it trusted, would be conducted in accordance with international standards. His delegation was, however, concerned about the persistent complaints of the repression of political opposition and restrictions on freedom of speech and expression. It urged Belarus to engage more closely in dialogue and international cooperation in order to improve its human rights situation.

71. **Mr. Dapkiunas** (Belarus) expressed deep regret that the draft resolution had been adopted, despite the appeal by many countries for continued dialogue. He commended the courage of those — a majority of the Committee — who had not supported the draft resolution and hoped that members of the Non-Aligned Movement would be swayed by his delegation's argument in favour of the universality, objectivity and non-politicization of human rights, thus sending out the signal that the United Nations was, as it should be, a safe haven for all its members.

72. **Mr. Ballestero** (Costa Rica), after referring the Committee to his delegation's statement at the 48th meeting, said that human rights should be dealt with by the Security Council and the Human Rights Council rather than the Third Committee. Belarus should, however, understand the concerns of the international community. Closer cooperation and mutual respect were required for an improved human rights situation in that country.

Draft resolution A/C.3/61/L.42: Situation of democracy and human rights in the United States of America

73. **The Chairman** said that the draft resolution had no programme budget implications.

74. **Mr. Dapkiunas** (Belarus) said that the draft resolution sought to challenge idleness of mind,

hypocritical self-gratification and outright prejudice. His delegation was the only sponsor of the draft resolution, since it did not play the game of requesting support from other delegations. Nonetheless, it believed that victory was possible. In any case, the draft resolution was an honest and truthful document. He recognized that it would make many delegations uncomfortable, but ultimately it would be effective precisely because of the discomfort that it caused, like a bitter but life-saving medicine.

75. **Mr. Miller** (United States of America) said that his delegation did not take the draft resolution lightly, even though many of its assertions were inaccurate and exaggerated. Many of the issues were familiar, having been investigated by the press, debated in elections or under consideration by the courts. Its free press, robust political debate, free democratic elections and independent judiciary distinguished the United States from the sponsor of the draft resolution and other territories that were subjects of human rights resolutions.

76. The United States was not perfect. Its society was a work in progress, evolving as it sought to advance its freedom, security and prosperity. Every move the Government made was subject to checks and balances. Its processes were transparent to its citizens and to the world.

77. **Ms. Lintonen** (Finland), speaking on behalf of the European Union; the acceding countries Bulgaria and Romania; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; and in addition, Iceland, Moldova, Norway and Ukraine, said, in explanation of vote before the voting, that the gravity of the human rights situation on the ground should determine whether the General Assembly should consider a draft resolution on a given country. The country's willingness and efforts to address certain issues and engage in constructive dialogue must also be taken into account. Belarus had fallen short on both counts. In response to a critical yet balanced text, Belarus had failed either to cooperate fully with the United Nations human rights machinery or to adhere to its international obligations. By contrast, the United States showed itself ready to listen to criticism from the United Nations treaty bodies and human rights mechanisms, as well as its own vibrant civil society. As was well known, the European Union had concerns about some of the issues covered by the draft resolution, and those concerns were regularly discussed by the two sides. It was obvious that the draft resolution was intended to divert attention from Belarus' own human rights record.

78. The European Union noted that Belarus had lent its name to another draft resolution that purported to advocate dialogue on human rights issues and was highly critical of country-specific resolutions. There was a glaring contradiction between the two draft resolutions. The European Union would vote against the draft resolution.

79. **Mr. Abdelaziz** (Egypt) said that his delegation maintained its position of opposing all country-specific resolutions. It would therefore vote against the draft resolution, although human rights violations were not restricted to the countries that were generally singled out for criticism. Regardless of the facts in any given case, the approach of the international community should be cooperation rather than confrontation. The only situation that warranted a rebuke in the form of a resolution was the continued human rights violations in the occupied Arab territories.

80. **Mr. Benmehidi** (Algeria) said that his delegation would vote against the draft resolution as it had voted against other country-specific resolutions. The atmosphere of confrontation created by such resolutions ran counter to the principle of human rights. His delegation favoured the universal review system under consideration by the Human Rights Council as the only appropriate machinery for investigating human rights in every country.

81. **Mr. Butagira** (Uganda) said that a delegation could not claim to oppose country-specific resolutions and then vote for the draft resolution before the Committee. His delegation would therefore vote against.

82. *A recorded vote was taken on draft resolution A/C.3/61/L.42.*

In favour:

Belarus, Cuba, Democratic People's Republic of Korea, Iran (Islamic Republic of), Myanmar, Syrian Arab Republic.

Against:

Afghanistan, Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Belgium,

Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Canada, Cape Verde, Chile, Colombia, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Turkey, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of).

Abstaining:

Angola, Antigua and Barbuda, Bahrain, Barbados, Belize, Benin, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, China, Congo, Costa Rica, Côte d'Ivoire, Eritrea, Ghana, Guinea-Bissau, Guyana, Jordan, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mozambique, Namibia, Nepal, Niger, Papua New Guinea, Qatar, Russian Federation, Samoa, Saudi Arabia, Singapore, South Africa, Suriname, Swaziland, Thailand, Trinidad and Tobago, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia, Zimbabwe.

83. *Draft resolution A/C.3/61/L.42 was rejected by 114 votes to 6, with 45 abstentions.*

84. **Mr. Chidyausiku** (Zimbabwe) said that his delegation had abstained, not because it had any difficulty with the content of the draft resolution, but because it opposed country-specific human rights resolutions on principle.

85. **Ms. Escobar** (Bolivarian Republic of Venezuela) said that her delegation was aware of the well-known human rights violations referred to in the draft resolution. Nevertheless, she had voted against it because of her delegation's consistent opposition to any initiative that selectively targeted individual countries.

86. **Mr. Liu** Zhenmin (China) said that differences on human rights issues should be resolved through dialogue and cooperation. His delegation was opposed, in principle, to any resolution that targeted specific countries, and he had therefore abstained from voting on draft resolution A/C.3/61/L.42.

87. **Mr. Maia** (Brazil) said that Brazil was in favour of implementing the universal periodic review mechanism, which would allow the United Nations to examine in a truly universal manner the human rights situation of all countries without selectivity or politicization. Country-specific resolutions should be adopted only in extremely serious cases. Brazil had voted against the draft resolution on the situation of human rights in the United States because it did not reflect in a balanced and comprehensive manner the general situation of human rights in that country. His delegation was concerned, however, about the complaints of abuses and human rights violations in the context of the fight against terrorism.

88. **Mr. Vohidov** (Uzbekistan) said that his delegation had voted against the draft resolution. That did not mean that Uzbekistan was indifferent to the human rights situations mentioned in the text; however, the draft resolution should first be submitted to the Human Rights Council.

89. **Mr. Ballestero** (Costa Rica) said that his delegation had abstained from voting on the draft resolution. The Third Committee was not the appropriate forum for considering country-specific resolutions. Draft resolution A/C.3/61/L.42, as well as all others on human rights issues, should be considered by the Human Rights Council. His delegation appealed to the United States to take firm steps to address the concerns raised in the draft resolution.

90. **Mr. Saeed** (Sudan) said that although his delegation supported the content of the draft resolution, it had abstained from voting because of its opposition to the practice of submitting country-specific resolutions. All countries, large and small, needed to review their achievements in regard to human rights

and to promote cooperation with international human rights mechanisms.

Draft resolution A/C.3/61/L.43: Situation of indigenous peoples and immigrants in Canada

91. **The Chairman** invited the Committee to consider the draft resolution contained in document A/C.3/61/L.43. He had been informed that the draft resolution had no programme budget implications.

92. **Ms. Hastaie** (Islamic Republic of Iran) said that her delegation had submitted the draft resolution on the situation of indigenous peoples and immigrants in Canada in the firm belief that the situation of aboriginals and immigrants in Canada merited the attention and action of the Committee. The draft resolution was intended to send a clear message to the Government of Canada regarding its human rights obligations and to draw the attention of the wider international community to the situation of minorities and disadvantaged people in the developed part of the world, especially in Canada. The Government of Canada had arrogated to itself a leading global role in human rights advocacy while certain parts of its own population suffered from human rights violations. Canada's human rights violations had been well documented by various human rights monitoring bodies, particularly the United Nations human rights mechanisms. In fact, the main content of the draft resolution had been borrowed from documents such as the report of the Human Rights Committee.

93. The promotion and protection of human rights could best be realized through cooperation and dialogue; however, the Government of Canada had declined to reply to her delegation's sincere call for dialogue. Her delegation had been left with no alternative but to express its concerns by means of the draft resolution that was now before the Committee, which provided an opportunity to find out whether the plight of certain disadvantaged groups in Canada would win the sympathy and concern of the so-called advocates of human rights. She was aware that many of her delegation's friends and partners held positions of principle regarding country-specific resolutions. She hoped that Committee members would seriously consider the human rights situation in Canada and vote in favour of the draft resolution.

94. **Mr. Bowman** (Canada) said that Canada had a long tradition of not only supporting but actively advancing the rights of indigenous peoples. Nevertheless, his Government recognized that there were human rights challenges that must be addressed, and it was committed to taking steps to meet those challenges. To that end, it engaged in open and frank discussions on human rights with an active civil society and with aboriginal and other communities. The Government was held accountable by the public, by a freely elected Parliament and by a free and independent media and judiciary. Canada was a party to all major human rights instruments. It cooperated fully with United Nations human rights mechanisms, was fully up to date on its reports to treaty bodies and had extended a standing invitation to all special rapporteurs of the Human Rights Council. Indeed, many special rapporteurs had visited and reported on Canada in recent years. The resolution that was before the Committee referred to those reports. Canada encouraged delegations to read the reports in full in order to get a comprehensive view of human rights in his country.

95. He invited delegations to address the draft resolution on its merits. In looking at the merits, it was important to consider the overall situation of human rights in Canada, including that of aboriginal people and immigrants; the fact that Canada acknowledged shortcomings and challenges; the Canadian Government's commitment and the concrete actions it had taken to make progress on human rights; the fact that the Government openly engaged with citizens, that human rights advocates could speak freely and that citizens could claim their rights through many avenues; and finally, its full cooperation with United Nations human rights mechanisms. For all those reasons, he invited delegations to vote against the draft resolution.

96. **Mr. Hill** (Australia), speaking on behalf of his own country and of New Zealand, said that the two delegations stood alongside Canada in its defence against the allegations contained in the draft resolution, allegations that the sponsor had not been prepared to support with evidence. Canada had every right to be proud of its human rights record.

97. **The Chairman** said that a recorded vote had been requested on the draft resolution.

98. **Mr. Abdelaziz** (Egypt), speaking in explanation of vote before the voting, said that his delegation would vote against the draft resolution. His delegation was opposed to all country-specific resolutions without

distinction, and even despite the fact that Canada had voted against the draft resolution contained in document A/C.3/61/L.13/Rev.1, on the human rights situation arising from the recent Israeli military operations in Lebanon. The only case that required the specific attention of the Human Rights Council, the Third Committee or the General Assembly was that of the systematic violation of human rights in occupied Arab territories in Palestine, Syria and Lebanon. In that case, far from interfering in the internal affairs of States, the United Nations would be protecting an occupied population from the occupying Power until that population was able to exercise its inalienable right to self-determination.

99. **Mr. Jokinen** (Finland), speaking on behalf of the European Union; the acceding countries Bulgaria and Romania; the candidate country the former Yugoslav Republic of Macedonia; the stabilization and association process countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Iceland, Liechtenstein, Moldova, Norway and Ukraine, pointed out that draft resolution A/C.3/61/L.43 had been submitted by the Islamic Republic of Iran after Canada, together with a large number of sponsors, had submitted draft resolution A/C.3/61/L.41, on the situation of human rights in the Islamic Republic of Iran. The two draft resolutions lent themselves to interesting comparisons. The draft resolution on the situation of human rights in the Islamic Republic of Iran built on previous resolutions adopted by the General Assembly and the Commission on Human Rights. The text drew attention to the persistence of grave and systematic human rights violations such as the use of torture and cruel, inhuman or degrading treatment or punishment, including public executions and the issuing of sentences of stoning, as well as discrimination against women and ethnic and religious minorities. All of those violations were well documented.

100. **Ms. Hastaie** (Islamic Republic of Iran), speaking on a point of order, said that the representative of the European Union was referring to a resolution that had already been decided and closed.

101. **The Chairman** invited the representative of Finland to proceed with his statement.

102. **Mr. Jokinen** (Finland) said that the text of the draft resolution on the situation of indigenous peoples and immigrants in Canada was of a different nature. Even the most cursory review of the sources used revealed the selective and misleading nature of the quotations. What the reading of those sources did affirm, however, was Canada's extensive dialogue with a great variety of human rights mechanisms as well as its impressive commitment to take into account and implement the recommendations received from them. The disparity between the two texts and their authors was glaring. The European Union would vote against the draft resolution.

103. **Mr. Al Saif** (Kuwait) said that his delegation was opposed to all country-specific resolutions. Accordingly, Kuwait would vote against the draft resolution on the situation of indigenous peoples and immigrants in Canada (A/C.3/61/L.43), just as it had voted against the draft resolution on the situation of human rights in the Islamic Republic of Iran (A/C.3/61/L.41).

104. **Mr. Benmehidi** (Algeria) said that country-specific resolutions created an atmosphere of confrontation that did not help the cause of human rights. The universal periodic review mechanism developed by the Human Rights Council was the appropriate one for examining the human rights situation in all countries without exception. His delegation would vote against the draft resolution.

105. *A recorded vote was taken on draft resolution A/C.3/61/L.43.*

In favour:

Belarus, Cuba, Democratic People's Republic of Korea, Iran (Islamic Republic of), Myanmar, Syrian Arab Republic.

Against:

Afghanistan, Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Canada, Cape Verde, Chile, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Egypt, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico,

Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of).

Abstaining:

Angola, Antigua and Barbuda, Bahrain, Barbados, Belize, Benin, Brunei Darussalam, Burkina Faso, Cameroon, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Ecuador, Eritrea, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, Jordan, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mozambique, Namibia, Nepal, Niger, Pakistan, Papua New Guinea, Philippines, Qatar, Samoa, Saudi Arabia, Singapore, South Africa, Suriname, Swaziland, Thailand, Trinidad and Tobago, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia, Zimbabwe.

106. *Draft resolution A/C.3/61/L.43 was rejected by 107 votes to 6, with 49 abstentions.*

107. **Mr. Liu** Zhenmin (China) said that his delegation was concerned about the human rights violations mentioned in the draft resolution and hoped that the Government of Canada would comply with its obligations under human rights conventions and take measures further to improve its human rights situation, especially that of immigrants and indigenous peoples. His delegation was opposed to the practice of submitting country-specific resolutions on human rights issues and had therefore abstained from voting on the draft resolution.

108. **Ms. Escobar** (Bolivarian Republic of Venezuela) said that her delegation had voted against the draft resolution because of its opposition to the practice of submitting country-specific resolutions.

109. **Mr. Saeed** (Sudan) said that although his delegation agreed with the contents of the draft resolution, it had abstained from voting because of its position of rejecting all country-specific resolutions.

110. **Mr. Maia** (Brazil) said that only the universal periodic review mechanism would allow the United Nations to examine in a truly comprehensive manner the situation of human rights in all countries of the world without selectivity or politicization. Country-specific resolutions should be adopted only in extremely serious cases. His delegation had voted against the draft resolution because the text did not reflect in a balanced manner the situation of indigenous peoples and immigrants in Canada. The draft generally reproduced recommendations of treaty bodies to which Canada was a party and of special procedures which had visited the country in the context of the standing invitation extended by Canada. Canada had demonstrated its willingness to cooperate with the international human rights system.

111. **Mr. Ballestero** (Costa Rica) said that his delegation had abstained from voting because the issues raised by the draft resolution should be addressed by the Human Rights Council. He had noted with interest the statement made by the representative of Canada, and he supported that Government's efforts to continue resolving pending human rights issues. Costa Rica had no problem with the concept of country-specific resolutions, but felt that the Human Rights Council should take the lead in dealing with those issues.

112. **Mr. Vohidov** (Uzbekistan) said that his delegation had voted against the draft resolution because of its principled position against country-specific resolutions, which should be examined first and foremost by the Human Rights Council. He wished to draw attention to the fact that the last two resolutions, on human rights in the United States and Canada, showed that the time had come for an end to impunity for those countries.

113. **Mr. Chidyausiku** (Zimbabwe) said that his delegation had abstained from voting because it was opposed to the practice of submitting country-specific draft resolutions.

The meeting rose at 6.20 p.m.